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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/698,918	10/27/2000	Patrick M. Lavelle	8002A-29	8367

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EXAMINER
ANYASO, UCHENDU O

ART UNIT	PAPER NUMBER
2675	5

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/698,918	LAVELLE ET AL.	
	Examiner	Art Unit	
	Uchendu O Anyaso	2675	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 November 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10 and 12-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10, 12-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. **Claims 1-10, 12-28** are pending in this action.

Claim Rejections - 35 USC ' 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. **Claims 1-8, 15, 16** and **25-27** are rejected under 35 U.S.C. 102(e) as being anticipated by *Adams et al* (U.S. Patent 6,380,978).

Regarding **independent claims 1, 25** and **26**, and for **claims 2-6, 15, 16** and **27** Adams teaches an invention relating to processing of video images using a portable video display device wherein applications include use in an automobile (*see* column 5, lines 36-46, 56-60, figure 2A).

Furthermore, Adams teaches a display device wherein viewing by a passenger at the rear seat of an automobile would be accomplished (*see* figure 2A).

Also, Adams teaches how the portable DVD player also includes a digital processing system including a decoder, an image enhancement engine, and a display controller wherein the decoder (28) receives signals from a DVD inserted into the enclosure to provide a decoded, interlaced video signal (column 3, lines 4-12, figure 3).

Furthermore, Adams teaches two input sources by teaching video data input and audio data input (*see* figure 4 at video data and audio data).

Furthermore, Adams teaches an audio and infrared link (32) and how an IR transmitter for wireless headphones may be provided, as may stereo speakers with small stereo power amp for presentations or playback without headphones (column 7, lines 24-27, figure 3; *see also* column 7, lines 4-24).

Regarding **claims 7** and **8**, in further discussion of claim 1, Adams teaches a liquid crystal display (36) (figure 3 at 36).

Claim Rejections - 35 USC ' 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. **Claim 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Adams et al* (U.S. Patent 6,380,978).

Regarding **claims 9**, in further discussion of claim 1, Adams does not teach his display device employing a touch screen technology.

However, it would have been obvious to a person of ordinary skill in the art to replace the video display or liquid crystal display with a touch screen display. The motivation for doing so would have been to provide a user with display device that also offers a means to input data.

6. **Claims 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Adams et al* (U.S. Patent 6,380,978) in view of *Burke et al* (U.S. Patent 6,134,223).

Regarding **claim 10**, in further discussion of claim 1, Adams does not teach the display device including a picture-in-picture and split screen capability. On the other hand, Burke teaches how a picture-in-picture or split screen function may be provided in a video conferencing system (column 11, lines 49-67; *see also* column 23, lines 35-45, figure 16).

Thus, it would have been obvious to a person of ordinary skill in the art to combine Adams and Burke because while Adams teaches an invention relating to processing of video images using a portable video display device wherein applications include use in an automobile (*see* column 5, lines 36-46, 56-60, figure 2A), Burke teaches how a picture-in-picture or split screen function may be provided in a video conferencing system (column 11, lines 49-67; *see also* column 23, lines 35-45, figure 16). The motivation for combining these invention would have been to create a combined multiple image on the display screen at the same time (*see* column 23, lines 35-45).

7. **Claims 12-14, 17, 18** and **28** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Adams et al* (U.S. Patent 6,380,978) in view of *Boyden et al* (U.S. Patent 6,301,637).

Regarding **claims 12-14, 17** and **28** in further discussion of claim 1, Adams does not teach the display the headphones with left and right audio channels. On the other hand, Boyden teaches left and right audio channels in headset 200 (figure 18 at 210, 212).

Thus, it would be obvious to a person of ordinary skill in the art to combine Adams and Boyden because while teaches an invention relating to processing of video images using a portable video display device wherein applications include use in an automobile (*see* column 5, lines 36-46, 56-60, figure 2A), Boyden teaches left and right audio channels in headset 200 (figure 18 at 210, 212). The motivation for combining these inventions would have been to provide a means of communicating audio signals wirelessly to both ears of a listener.

Regarding **claim 18**, in further discussion of claim 1, Adams does not teach a wireless headphone with antenna. On the other hand, Boyden teaches a wireless headphone with an antenna (figure 26 at 308).

Thus, it would be obvious to a person of ordinary skill in the art to combine Adams and Boyden because while Adams teaches an invention relating to processing of video images using a portable video display device wherein applications include use in an automobile (*see* column 5, lines 36-46, 56-60, figure 2A), Boyden teaches a wireless headphone with an antenna (figure 26 at 308). The motivation for combining these inventions would have been to achieve a clearer signal.

8. **Claims 20-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Adams et al* (U.S. Patent 6,380,978) in view of *Hylton et al* (U.S. Patent 5,793,413).

Regarding claims **20-24**, in further discussion of claim 1, Adams does not teach a CDMA technology in his design. On the other hand, Hylton teaches a wireless video distribution scheme that employs CDMA technology (*see* Abstract).

Thus, it would have been obvious to a person of ordinary skill in the art to combine Adams and Hylton because while Adams teaches an invention relating to processing of video images using a portable video display device wherein applications include use in an automobile (*see* column 5, lines 36-46, 56-60, figure 2A), Hylton teaches a wireless video distribution scheme that employs CDMA technology (*see* Abstract). The motivation for combining these inventions would have been to utilize an efficient wireless distribution scheme (*see* Abstract).

Response to Arguments

9. Applicant's arguments filed November 13, 2002 have been fully considered but they are not persuasive.

Applicant argues that Adams does not teach a display device adapted to receive signals from at least two input sources, much less a wireless transmitter adapted to wirelessly transmit the signals from at least two input sources to at least one wireless headphone set.

Examiner disagrees because Adams teaches two input sources by teaching video data input and audio data input (*see* figure 4 at video data and audio data).

Also, Adams teaches how the portable DVD player also includes a digital processing system including a decoder, an image enhancement engine, and a display controller wherein the decoder (28) receives signals from a DVD inserted into the enclosure to provide a decoded, interlaced video signal (column 3, lines 4-12, figure 3).

Furthermore, Adams teaches an audio and infrared link (32) and how an IR transmitter for wireless headphones may be provided, as may stereo speakers with small stereo power amp for presentations or playback without headphones (column 7, lines 24-27, figure 3; *see also*

column 7, lines 4-24). Furthermore, Adams teaches a display device wherein viewing by a passenger at the rear seat of an automobile would be accomplished (*see* figure 2A).

As such, applicant's arguments are not persuasive

Conclusion

10. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uchendu O. Anyaso whose telephone number is (703) 306-5934. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Uchendu O. Anyaso

01/26/2003

STEVEN SARAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600